Novel Asking Dismissal Of 'Plot' Probe Warrant

NEW ORLEANS (AP)—Dist. Atty. Jim Garrison's Kennedy assassination conspiracy probe is moving back into courtrooms, here and in Nebraska.

Attorney Steve Plotkin was scheduled to appear here today before Criminal Dist. Judge Edward Haggerty to seek dismissal of Garrison's warrant for the arrest of Gordon Novel as a material witness.

Roommate Subpoenaed

In Omaha, Lillie Mae McMaines—known in New Orleans as Sandra Moffett—will decide whether to waive extradition after her arrest as a material witness in Garrison's case.

Her appearance in court today was solely on the matter of waiving extradition. If Mrs. McMaines, 22, decides to fight her return to Louisiana, a preliminary hearing will be held April 25 in Omaha's Municipal Court.

The New Orleans Parish grand jury subpoenaed Layton P. Martens, 24, a onetime roommate of the late David W. Ferrie, to appear today.

Garrison has charged that Ferrie, Lee Harvey Oswald and Clay L. Shaw, a prominent retired New Orleans executive, conspired to murder President Kennedy.

Shaw, 54, was indicted by the grand jury last week on a murder conspiracy charge and is free on a $10,000 bond.

Denies Attending Party

Perry Raymond Russo, 25, of Baton Rouge testified at a preliminary hearing for Shaw two weeks ago that he heard Shaw, Ferrie and Oswald plotting in mid-September 1963 to kill Kennedy.

The plotting, Russo said, occurred following a party at Ferrie's home. Russo said Sandra Moffett was at the party and at one point referred to her as "the girl I brought."

Mrs. McMaines, said she did not attend the party and did not meet Ferrie until 1965. She is now the wife of Harold McMaines, 48, a part-time Omaha minister.

David Kroman, 43, was sent to a mental institution for examination after he told a federal judge in Bismarck, N.D., that he was threatened because he had conducted an investigation of the Kennedy assassination—and had documents to prove a conspiracy.